

**BEFORE THE PLANNING COMMISSION
FOR
THE CITY OF BEAVERTON, OREGON**

After recording return to:
City of Beaverton, City Recorder:
4755 SW Griffith Drive
P.O. Box 4755
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL OF)	ORDER NO. 2325
PRELIMINARY SUBDIVISION APPLICATION FOR THE)	LD2013-0005 ORDER APPROVING
CREATION OF 14 LOTS IN THE R2 ZONING)	PEBBLESTONE SINGLE FAMILY DETACHED
DISTRICT. THE SUBDIVISION IS INTENDED FOR)	SUBDIVISION.
SMALL LOT SINGLE-FAMILY DETACHED UNITS)	
(PEBBLESTONE SINGLE FAMILY DETACHED)	
SUBDIVISION). THE DALTON COMPANY,)	
APPLICANT.)	

The matter came before the Planning Commission on July 24, 2013, on a request for approval of a Preliminary Subdivision application for the creation of 14 lots in the R2 zoning district. The subdivision is intended for small lot single-family detached units. The subject site is currently vacant and is located west of NW 158th Avenue on the north side of NW Blueridge Drive, specifically identified as Tax Lot 13600 on Washington County Tax Assessor's Map 1N1-32CB.

Pursuant to Ordinance 2050 (Development Code), Sections 50.15.2 and 50.45 the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated July 17, 2013, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.45.15.4.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **LD2013-0005** is **APPROVED**, based on the testimony, reports and exhibits, and evidence presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated July 17, 2013, and subject to the conditions of approval as follows:

1. Approval of LD2013-0005 is subject to the approval of SDM2013-0003 and TP2013-0003. (Planning Div./CP)

A. Prior to issuance of the site development permit, the applicant shall:

2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
5. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
6. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)

7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
10. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (For more information and to access the new format, see: <http://www.cleanwaterservices.org/PermitCenter/PermittingProcess/ErosionControl.aspx>) (Site Development Div./JJD)
11. Provide a detailed drainage analysis of the subject site and all tributary areas and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. (Site Development Div./JJD)
12. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots within the subdivision. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
13. Submit a design for the retaining walls surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent, and with minimum 18-inch stem wall thickness at the top of

each wall. Provide increased detention volume that may be required as the result of the site development application plan review process as determined by the City Engineer. City Engineering staff have reviewed the preliminary submittals concerning proposed storm water detention and finds that adequate volume in the proposed surface facility may not be adequate to meet City standards during the 25 year event; however, such capacity can be provided by additional volume in pipes, underground structures, or with other minor modifications of the proposed surface facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (revised or additional retaining walls and interior grade changes less than four vertical feet variance) in the proposed facility without additional design review or other land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)

14. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
15. Submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. (Site Development Div./JJD)
16. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas or private streets. (Site Development Div./JJD) (Site Development Div./JJD)
17. Provide plans for street lights (Option C unless otherwise approved by the City Operations and Maintenance Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private,

common driveway and a public street. (Site Development Div./JJD)

19. Ensure all grading is consistent with the grading standards of Section 60.15.15, which establishes maximum grade differentials from abutting properties. (Planning Div./CP)
20. Ensure the land use approval has not expired, which is two (2) years from the effective date of the decision. (Planning Div./CP)
21. Provide plans showing tree protection fencing at the Tree Protection Zone, which shall be established at least at the edge of the root zone of each tree or grove of trees proposed to remain, both on site and on abutting properties. The fences shall be placed at the edge of each root zone which is located within the boundaries of the subject site, but shall not be required to be extended beyond the boundaries of the subject site. The fences shall be placed before construction starts and remain in place until construction is complete. The fence shall be a four (4) foot tall orange plastic or snow fence, secured to six (6) foot tall metal posts, driven two (2) feet into the ground. Heavy gauge 12 wire shall be attached to the top and midpoint of each post. Posts shall not be placed further than ten (10) feet apart. (Planning Div./CP)
22. Identify on plans any areas in which grading is proposed to occur within the root zones of the trees to remain. Notes on the plans shall state that unless otherwise approved by the Project Arborist, grading within the protected root zones shall only be accomplished through the use of hand equipment and excavation. (Planning Div./CP)
23. Submit plans that show:
 - a. DEAD END ROADS: Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (OFC503.2.5) (TVF&R/JF)
 - b. FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide, but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC503.2) (TVF&R/JF)
 - c. FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (OFC D103.1) (TVF&R/JF)

- d. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "NO PARKING" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING – FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) (TVF&R/JF)
- e. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1) (TVF&R/JF)
- f. **GRADE:** Fire apparatus access roadway grades shall not exceed 10 percent. Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. When fire sprinklers are installed, a maximum grade of 15% may be allowed. The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5). (OFC 503.2.7 & D103.2) (TVF&R/JF)
- g. **SINGLE FAMILY DWELLINGS – REQUIRED FIRE FLOW:** The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (OFC B105.2) *Prior to issuance of a building permit, provide evidence of a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 PSI residual pressure.* (TVF&R/JF)
- h. **FIRE HYDRANTS – ONE AND TWO FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measure in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) (TVF&R/JF)
- i. **ANGLE OF APPROACH AND DEPARTURE:** The angles of approach and departure for fire apparatus roads shall not exceed 8 Degrees.

(OFC 503.2.8, NFPA 1901) (TVF&R/JF)

24. Ensure that all associated applications, including Sidewalk Design Modification, Major Adjustment, and Tree Plan have been approved and are consistent with the submitted plans. (Planning Division/CP)
25. The applicant must comply with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement or orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division/CP)
26. Submit plans that verify all pedestrian walkways are made of differentiated material. The sidewalk on the north side of Private Road B may be partially located in the travel lane if the sidewalk is mountable and concrete. (Transportation/LP)
27. Submit plans that show all street trees located behind the curb tight sidewalk. (Transportation/LP)
28. Submit plans that show minimum parking stall dimensions of 8.5' x 18.5'. Parallel on-street parking stalls located within Tract D shall be a minimum of 7' x 20'. (Transportation/LP)
29. Submit plans that verify the intersection site distance standards per EDM Section 210.10 are met. (Transportation/LP)

B. Prior to commencement of any construction, grading, or utility work, the applicant shall:

30. Install tree protection fencing at the Tree Protection Zone, which shall be established at least at the edge of the root zone of each tree or grove of trees proposed to remain, both on site and on abutting properties, as shown on the approved Site Development plans. (Planning Div./CP)

C. Prior to final plat approval, the applicant shall:

31. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
32. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed

easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)

33. Submit a final plat for phase one that is fully dimensioned and indicate the square footage of all lots and tracts. Plat notes shall state the ownership and maintenance responsibilities of all easements. (Planning Div./CP)
34. Pay all City liens, taxes and assessments, or re-apportion same to individual lots. Any liens, taxes or assessments levied by Washington County shall be paid to the County according to their procedures. (Planning Div./CP)
35. Submit a street fee of \$200.00 per tree based on a standard of one tree for every 30 lineal feet of street frontage. (Planning Div./CP)
36. Ensure that for each lot a 3-foot utility easement along all side and rear lot lines and an 8-foot utility easement are provided along any lot frontage to a public street. All easements shall be conveyed to the City of Beaverton, and so noted on the final plat. (Planning Div./CP)
37. Submit a draft of the Covenants, Conditions and Restrictions to be recorded with the final plat. The draft shall be subject to City Attorney review and approval. The CC&R document shall contain a provision that prohibits fencing along the side yard property line where the side yard setback is less than five feet. The text of this CC&R provision is subject to approval by the City Attorney. (Planning Div./CP)
38. Submit a maintenance agreement to be recorded with the final plat, which assigns specific maintenance responsibilities for all common areas. (Planning Div./CP)
39. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/CP)
40. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/CP)
41. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/CP)
42. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development

will be constructed in accordance with City requirements. (Planning Division/CP)

43. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/CP)
44. Provide a street name shown on the site development plans identical with those on the Final Plat, and street name signs shall not be installed prior to final plat approval. (Planning Division/CP)

D. Prior to building permit issuance, the applicant shall:

45. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
46. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
47. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
48. Submit to the Planning Division an 8.5 by 11 inch copy of the final plat. (Planning Div./CP)
49. Submit plans that demonstrate proposed structures comply with setback, height, and off-street parking standards for detached single-family dwellings in the R2 zone or as approved by the Major Adjustment. (Planning Division/CP)
50. Not allow the following development to occur within the protected root zone of each tree to be retained on site and on abutting properties:
 - i. Construction or placement of new buildings.
 - ii. Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.
 - iii. New impervious surfaces.
 - iv. Trenching for utilities, irrigation, or drainage.
 - v. Staging or storage of any kind.
 - vi. Vehicle maneuvering or parking. (Planning Div./CP)

E. Prior to final inspection of any building permit, the applicant shall:

51. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
52. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
53. At the conclusion of the construction the applicant shall submit a report showing which Community Trees were kept, which were damaged or destroyed, and which were removed. (Planning Division/CP)
54. Ensure all site improvements, including grading, are completed in accordance with plans marked "Exhibit A". (On file at City Hall). (Planning Div./CP)
55. Ensure tree protection fencing is monitored and maintained and remains in place and undisturbed. (Planning Div./CP)

F. Prior to release of performance security, the applicant shall:

56. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
57. Submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
58. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the treatment vegetation within the surface water quality facility, as determined by the Public Works Director. If the plants are not well established (as determined by the Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the Public Works Director prior to release of the security. (Site Development Div./JJD)

Motion **CARRIED**, by the following vote:

AYES: Maks, Nye, Kiene, Stephen, Winter and Overhage.
NAYS: None.
ABSTAIN: None.
ABSENT: Doukas.

Dated this 1st day of August, 2013.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2325 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton's Community and Economic Development Department's office by no later than 5:00 p.m. on Monday, August 12 2013.


PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:


CASSERA PHIPPS
Assistant Planner

APPROVED:


KIM OVERHAGE
Chair


STEVEN A. SPARKS, AICP
Planning Division Manager